

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Simon Osagi Iyawe and Alicia Nichole Iyawe,

Plaintiffs,

v.

Case No. 18-cv-2625 (JNE/BRT)
ORDER

William P. Barr, Attorney General of the United States; Chad F. Wolf, Acting Secretary of the Department of Homeland Security; and Kenneth T. Cuccinelli, Senior Official Performing the Duties of the Director, U.S. Citizenship and Immigration Services,

Defendants.¹

This case is before the Court on a Report and Recommendation (“R&R”) dated July 6, 2020 by the Honorable Becky R. Thorson, United States Magistrate Judge. No objections were filed. After a careful review of the record, the Court adopts the R&R and accepts the recommended disposition. *See* 28 U.S.C. § 636(b)(1)(B)–(C); Fed. R. Civ. P. 72(b)(3); LR 72.2(b)(3).

Based on the files, records, and proceedings herein, and for the reasons stated above, IT IS ORDERED THAT:

1. Defendants’ Motion to Dismiss and for Summary Judgment [ECF No. 37] is GRANTED.
2. Plaintiffs’ Cross Motion for Summary Judgment [ECF No. 41] is DENIED.

¹ William P. Barr, the current United States Attorney General and Chad F. Wolf, the Acting Secretary of Homeland Security are substituted as named Defendants under Fed. R. Civ. P. 25(d). Because the position of Director of U.S. Customs and Immigration Services is currently vacant, Kenneth T. Cuccinelli, who is performing the duties of that office, is also substituted as a named defendant.

3. Plaintiffs' Amended Complaint is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 10, 2020

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge